

**GEORGIA STATE BOARD OF PHYSICAL THERAPY
MINUTES OF REGULAR MEETING
NOVEMBER 18, 2003**

A meeting of the Georgia State Board of Physical Therapy was held on Tuesday, November 18, 2003 in Room 410 of the Legislative Office Building, 18 Capitol Square, Atlanta Georgia.

Members Present:

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| Brad Freemyer, P.T., President | Charlene Portee, P.T. |
| Linda Lamb, P.T., Cognizant | Bernice Chaney, P.T.A. |
| Morris Friedman, Consumer/Public Member | Anthony Ellis, P.T. |
| Sandra Eskew Capps, P.T., Vice President | Patricia Willis, P.T. |

Others Present:

Jacqueline A. Hightower, Executive Director
Anita Martin, Executive Director
Robert A. Renjel, Assistant Attorney General
Sandra Norwood Marshall, Applications Specialist
Pam Candler, Acting Board Secretary
Geoff Aulds, P.T., Liaison

President Freemyer called the meeting to order at 8:20 a.m. and established that a quorum of the Board was present.

Agenda: Mr. Friedman moved and Ms. Chaney seconded and the Board voted to accept the Agenda as amended.

Minutes: Ms. Lamb moved and Ms. Portee seconded and the Board voted to approve the Minutes for the October 21, 2003 Conference Call as amended.

Election of Officers for 2004:

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|-----------------|--------------------|
| President: | Sandra Eskew Capps |
| Vice President: | Charlene Portee |
| Cognizant: | Linda Lamb |

Ms. Lamb moved and Ms. Eskew Capps seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k)(1), (2) and (4); §43-1-19(h)(2), (3) and (4) and O.C.G.A. §43-1-19(h); 50-14-2(1) to deliberate on investigations and applications and receive information on applications and investigative reports and the attorney general's report. Voting in favor of the motion were Freemyer, Eskew Capps, Lamb, Friedman, Ellis, Portee, Chaney and Willis. The Board concluded executive session in order to vote on these matters and to continue with the public session.

Probation Report:

Ms. Hightower provided an update on probation matters. No Action taken.

Attorney General's Report:

PT030042: **Ms. Lamb moved and Ms. Portee seconded and the Board voted to reject the counter offer and to accept the new consent order upon receipt.**

Ms. Eskew Capps, Ms. Willis and Mr. Friedman were recused and left the meeting at 10:20 am.

Patricia Ann Balzer: **Ms. Lamb moved and Ms. Chaney seconded and the Board voted to accept the Consent Order upon receipt of appropriate continuing competency hours.**
Docket Number: 2003-1495.

Ms. Eskew Capps, Mr. Friedman and Ms. Willis returned to the meeting at 10:40 am.

PT030018: **Ms. Lamb moved and Ms. Portee seconded and the Board voted to reject the counter offer for Consent Order.**

Proposed Rule Changes:

Ms. Lamb moved and Ms. Chaney seconded and the Board voted that the formulation and adoption of Rules 490-4-.02(1)(b), 490-4-.02(6), 490-4-.02(7) and 490-4-.02(2) do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of Official Code of Georgia Annotated §§43-33-19; 43-1-25; 43-33-10; 43-33-13.1 and 43-33-18.

Ms. Portee moved and Mr. Ellis seconded and the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§43-33-19; 43-1-25, 43-33-10, 43-33-13.1 and 43-33-18 to adopt or implement differing actions for businesses listed at O.C.G.A. . §50-13-4(3)(A), (B), (C) and (D) and that the formulation and adoption of Rules 490-4-.02(1)(b), 490-4-.02(6), 490-4-.02(7) and 490-4-.02(2) will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Physical Therapy.

Ms. Lamb moved and Ms. Portee seconded and the Board voted to refer to the Attorney General for authority the following proposed rule changes and to post:

Continuing Competence Requirements. Amended.

490-4-.02(1)(b) Continuing competence requirements per biennium include a minimum of four (4) contact hours on specifically the ethics and jurisprudence of Georgia Physical Therapy Act. This requirement may alternately be met by passage of the Georgia Jurisprudence Examination. If the examination is taken, then the remaining minimum of thirty-six (36) hours of continuing competency are also required.

Rule 490-4-.02(6)

- (a) Maintain a signed peer review report or an official program or outline of the course attended or taught or copy of the publication which clearly shows that the objectives and content were related to patient care in physical therapy and shows the number of contact hours as appropriate. The information also should clearly identify the licensee's responsibility in teaching or authorship. These records should be

maintained in the licensee's personal files for no less than three (3) years from the beginning date of the licensure period through the even numbered year after the license is issued.

- (c) Maintain a CEU certificate or verification of completion of home study which identifies the sponsoring entity that can be contacted during an audit, or maintain a copy of the final grade report in the case of a University credit course(s), or specialization certificate, or proof of attendance with a copy of the program for the other acceptable Class I or II activities, or documentation of self-instruction or reading professional literature. These records should be maintained by the licensee for no less than three (3) years from the beginning date of the licensure period through the even numbered year after the license is renewed.

Rule 490-4-.02(7):

- (a) To maintain the documents identified in number (6) above for no less than three (3) years from the beginning date of the licensure period through the even numbered year after the license is renewed.

Rule 490-4-02(2)

- (a) Peer review of practice with verification of acceptable practice by a recognized entity. Continuing competence credit is 30 hours per review.
- (c) Courses, seminars, workshops and symposia attended by the licensee and approved by the recognized health-related organizations. Colleges and universities are considered health-related organizations.

Cognizant Report:

PT040001 **Ms. Lamb moved and Mr. Friedman seconded and the Board voted to close this case.**

Public Meeting: The Board held a public information meeting. See minutes attached.

After the annual Public Meeting, the board continued its regular business at the Legislative Office Building at 3:15 p.m.

Applications:

Mr. Friedman moved and Ms. Lamb seconded and the Board voted to take the following actions on applications for licensure by endorsement:

G.R.B. Pending further information

S.T.B. Approved upon proof of passing scores on NPTE, Scores sent to Exam Section

Bonny Lou Wilson Cypher Approved Physical Therapist licensure by endorsement

Dennis Joseph Kean Approved Physical Therapist licensure by endorsement

Keith S. Marmer Approved Physical Therapist licensure by endorsement

Mr. Ellis moved and Ms. Chaney seconded and the Board voted to take the following actions on applications for licensure by examination:

J.O.A. Deny Physical Therapist licensure by examination
 E.M.M. Approved upon proof of a passing score on NPTE & Jurisprudence
 A. R. R. Deny Physical Therapist licensure by examination
 C. S. Pending, further study plan denied
 L. W. Pending, further study plan denied
 M. C. N. L. Approved upon proof of a passing score on Jurisprudence
 N. L. P. Approved Physical Therapist Assistant licensure upon proof of a passing score on the Jurisprudence Examination

Ms. Lamb moved and Ms. Eskew Capps seconded and the Board voted to take the following actions on Training Permits:

Wendy Marie Skarin To approve request for Physical Therapy Assistant Traineeship

Ms. Eskew Capps moved and Ms. Portee seconded and the Board voted to take the following actions on applications for licensure by reinstatement:

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|------------------------|--|
| L.W. E. | Pending additional information |
| Michael Nathaniel Dula | Approve Physical Therapist licensure reinstatement |
| Christy P. Skinner | Approve Physical Therapist licensure reinstatement |
| Gwynn Morgan Watson | Approve Physical Therapist licensure reinstatement |

Ms. Portee moved and Ms. Chaney seconded and the Board voted to approve the following Physical Therapist applicants for licensure determined to have met licensure requirements as follows:

| License # | Name | License Type | Issue Date | Method |
|-----------|---------------------------|--------------------|------------|--------|
| PT007889 | Jones, Tawiah Shukura | Physical Therapist | 10/24/2003 | End |
| PT007890 | Peters, Alexandra Maria | Physical Therapist | 10/24/2003 | End |
| PT007891 | Slatton, Maria Trina G. | Physical Therapist | 10/24/2003 | End |
| PT007892 | Tambong, Novie Buyoc | Physical Therapist | 10/24/2003 | End |
| PT007893 | De, Anitra Marie | Physical Therapist | 10/28/2003 | Exam |
| PT007894 | Mitchell, Sara A | Physical Therapist | 10/29/2003 | Exam |
| PT007895 | Trythall, Nathanael T. | Physical Therapist | 10/30/2003 | Exam |
| PT007896 | Dorcey, Lonnie Blake | Physical Therapist | 10/31/2003 | End |
| PT007897 | Gorin, Allison Rachel | Physical Therapist | 10/31/2003 | End |
| PT007898 | Mullen, Rachel Elizabeth | Physical Therapist | 10/31/2003 | End |
| PT007899 | Campbell, Robert C. | Physical Therapist | 11/4/2003 | Exam |
| PT007900 | Pettis, Elizabeth Jean | Physical Therapist | 11/4/2003 | Exam |
| PT007901 | Stapleton, Danielle Marie | Physical Therapist | 11/5/2003 | Exam |
| PT007902 | Curry, Randolph L | Physical Therapist | 11/7/2003 | Exam |
| PT007903 | Goch, Candice Laraine | Physical Therapist | 11/14/2003 | End |
| PT007904 | Roesch, Dennis Arthur | Physical Therapist | 11/14/2003 | End |
| PT007905 | Cyphers, Bonny Lou | Physical Therapist | 11/24/2003 | End |
| PT007906 | Keane, Dennis Joseph | Physical Therapist | 11/24/2003 | End |
| PT007907 | Marmer, Keith S | Physical Therapist | 11/24/2003 | End |

Mr. Ellis moved and Ms. Lamb seconded and the Board voted to approve the following Physical Therapist Assistant applicants for licensure determined to have met licensure requirements as follows:

| License # | Name | Issue Date | Method |
|-----------|-------------------------|------------|--------|
| PTA002006 | Medlen, Mary-Kathryn | 10/31/2003 | End |
| PTA002007 | Azotea, Victor Lee | 10/31/2003 | End |
| PTA002008 | Gresham, Jeannie Lynn | 11/5/2003 | End |
| PTA002009 | Johnson, Joan Marie | 11/10/2003 | End |
| PTA002010 | Mead, Cassandra K. | 11/12/2003 | End |
| PTA002011 | Mailley, Jacqueline Ann | 11/17/2003 | End |
| PTA002012 | Ward, Kelly Lynn | 11/24/2003 | End |
| PTA002013 | Parker, Natalie Lynn | 11/24/2003 | End |

Mr. Friedman left the meeting at 4:15 p.m.

Correspondence:

Michelle Gunckel: Request for early renewal discount.

Board Response: Request denied.

C. Scott Bickel: Whether the skeletal muscle biopsy technique in research is within the scope of practice in Georgia.

Board Response: This is beyond scope of practice.

Mr. Ellis left the meeting at 4:30 p.m.

Nicole Vanslager: Can Physical Therapy credentials be used if working as yoga instructor?

Board Response: Caution that public may be confused.

Jessica Santucci: Is she allowed to evaluate and treat patients referred to her from an out of state physician, not licensed in Georgia?

Board Response: Yes, if the physician is an appropriate practitioner of the healing arts under each specific case.

Delores M. Adoptante: Can a foreign-educated physical therapist, work as a physical therapist aide?

Board Response: Please refer to 44-33-3(8)

Luann Robinson: What is educationally based therapy public school provided vs. medically based therapy.

Board Response: Suggest she contact the Babies Can't Wait program.

Dale Neely: . Can the Director of Physical Therapy be a Physical Therapist Assistant?

Board Response: The Board is unable to provide official opinions without going through an investigative process, however, please refer to the Georgia Physical Therapy Act, Code Section 43-33.

Continuing Competency Education Questions:

Rhonda Keeler: Request to accept Spanish for Medical Personnel and the Health Care Provider for continuing competency.

Board Response: Request approved.

Karen Goss: Request to accept Mouse Genome Consortium for continuing competency.

Board Response: Additional information required.

Ms. Willis left the meeting at 4:50 p.m.

Ms. Lamb moved and Ms. Chaney seconded and the Board voted to adjourn the meeting at 5:05 p.m.

Prepared by:

Approved by:

Pam Candler, Acting Board Secretary

Brad Freemyer, President

Jacqueline Hightower, Executive Director

Mollie Fleeman, Division Director

**GEORGIA STATE BOARD OF PHYSICAL THERAPY
MINUTES OF PUBLIC MEETING
NOVEMBER 18, 2003**

A public Meeting of the Georgia State Board of Physical Therapy was held on November 18, 2003 at the Capitol Education Center, 180 Central Avenue, Atlanta Georgia.

Members Present:

Brad Freemyer, P.T., President
Linda Lamb, P.T., Cognizant
Charlene Portee, P.T.
Patricia Willis, P.T.

Sandra Eskew Capps, P.T., Vice President
Bernice Chaney, P.T.A.
Anthony Ellis, P.T.
Morris Friedman, Consumer/Public Member

Others Present:

Jacqueline A. Hightower, Executive Director
Anita Martin, Executive Director
Robert A. Renjel, Assistant Attorney General
Sandra Norwood Marshall, Applications Specialist
Pam Candler, Board Secretary
Others as evidenced by Attached Attendance Sheet

Ms. Hightower opened the Public Meeting at 1:03 p.m. with introductions of the Board. She referred the audience to the board website for forms, renewals, frequently asked questions and other items. She discussed the new Customer Service Section for the licensing boards, verifications, name and address changes.

Mr. Freemyer, Board President, reviewed Board activity and discussed the consultation required for treatment vs. preventative care.

Ms. Eskew Capps, Board Vice President, reviewed information on the Jurisprudence examination.

Mr. Ellis addressed endorsement requirements including policies and rules concerning continuing competency.

Ms. Chaney reviewed the new rule on Inactive Status.

Mr. Friedman reviewed Continuing Competency.

Ms. Portee reviewed information on Practitioner of the Healing Arts..

Ms. Willis presented information on the Federation of State Boards of Physical Therapy Annual Meeting and that effective January 2005, the exam fee will increase from \$285.00 to \$400.00, and the fee for retakes will be decreased.

Ms. Lamb, in her role as cognizant, explained the complaint process.

The Board entertained questions and comments on the following areas:

- How can a Physical Therapist know which courses will apply to Continuing Competency credits?
- Which tasks can be delegated to physical therapist assistants or aides?
- Ethics and Jurisprudence requirements for Continuing Competency seem to be the same course every two years
- Copies of the Laws and Rules to a physical therapist.
- Ethics and jurisprudence examination
- Jurisprudence examination in lieu of four hours coursework in Ethics and Jurisprudence
- Failure of the Jurisprudence examination
- Patient ceases treatment
- Law changes

There being no further business, the meeting adjourned at 2:55 pm.